

least we can do for this group of veterans that have suffered so much already.●

#### OSHA VIOLATIONS BY FEDERAL CONTRACTORS

● Mr. SIMON. Mr. President, this Monday we celebrated the 114th annual Labor Day, honoring working Americans for their daily contributions to the most productive economy in the world. Also on Monday, we learned from a new General Accounting Office [GAO] report that the U.S. Government has been routinely awarding billions of dollars in Federal contracts to companies that have repeatedly and flagrantly endangered the health and safety of their workers.

According to the report, entitled "Occupational Safety and Health: Violations of Safety and Health Regulations by Federal Contractors," the Federal Government in fiscal year 1994 awarded \$38 billion in contracts to companies that were found to have committed significant Occupational Safety and Health Act [OSHA] violations in that fiscal year. In fiscal year 1994, more than 1 in 5 Federal contract dollars went to 261 companies that were found to have committed significant OSHA violations during that fiscal year.

The violations cited in the GAO report were not merely technical errors or minor infractions. On the contrary, 35 fatalities occurred at workplaces of the cited companies during the period covered by the report. These fatalities included, just to cite examples from Illinois and the greater Chicago region, that of a Danville, IL worker who was sucked into a grain mill he was cleaning, and the deaths of two workers who were trapped in a fire at an Inland Steel Co. plant in East Chicago, Indiana. A supervisor involved in the latter incident committed suicide a few days after his coworkers had been killed.

In preparing this report, the GAO investigators confined themselves to cases involving significant initial proposed penalties, defined as those of \$15,000 or more. This definition narrowed the study to the most serious 3 percent of OSHA violations discovered during fiscal year 1994.

Eighty-eight percent of the violations covered by the study involved at least one serious violation that posed a risk of death or physical harm to workers; 69 percent of the violations were deemed to have been willful.

This report demonstrates that the Federal Government is not doing as much as it could to improve the worker health and safety standards of Federal contractors. The Federal Government has enormous contracting power: 22 percent of the entire U.S. work force is employed by Federal contractors. The Federal Government ought to use this power to encourage companies it contracts with to maintain high standards for worker safety and health.

We already hold Federal contractors to high standards in a number of dif-

ferent areas. For example, Federal contractors must comply with Executive Order 11246, which requires them to develop affirmative action programs for their workers. Similarly, the Davis-Bacon and Service Contract Acts require Federal contractors to pay area-prevailing wages when performing Federal construction and service contracts. Given these requirements, it is not unreasonable for Federal contractors also to be held to a higher standard in the area of occupational safety and health.

To address this issue, I have introduced legislation that would give the Secretary of Labor the authority to debar firms that show a pattern and practice of OSHA violations from receiving Federal contracts for up to 3 years. This legislation, the Federal Contractor Safety and Health Enforcement Act (S. 781), would provide strong new incentives for firms that contract with the Federal Government to maintain high safety and health standards.

Even without legislation, there are steps the Federal Government can take to facilitate the exchange of information between OSHA and agency awarding and debarring officials to help improve contractor OSHA compliance. The GAO report recommends that OSHA develop policies and procedures, in consultation with the General Services Administration [GSA] and the Interagency Committee on Debarment and Suspension, to first, ensure that agencies share health and safety information on Federal contractors; second, determine whether and how it will consider a company's status as a Federal contractor in setting priorities for workplace inspections; and third, assess the appropriateness of also using this information with respect to companies receiving other forms of Federal assistance, such as grants and loans.

The GAO noted that the development of such information-sharing between agencies "would increase the likelihood that a company's health and safety record [will be] considered in decisions to award a contract or to debar or suspend an existing contractor." The report also noted that, under the Contract Work Hours and Safety Standards Act, OSHA already has authority to debar companies specifically for safety and health violations, but that this authority is seldom invoked because of the high cost of litigating debarment decisions. As the use of contractor debarment for safety and health violations becomes more common and courts develop a clear set of guidelines for assessing debarment decisions, we can expect that such litigation costs would decline.

American taxpayers should not be expected to foot the bill for lucrative contracts to companies that flagrantly and willfully disregard the health and safety of their employees. We should put safeguards into place to ensure that Federal contractors are held to high standards of worker safety and health. Rather than using the power of

the Federal treasury to reward lawbreakers, we should use that power to reward firms that demonstrate a strong commitment to the safety and wellbeing of their employees.

I have no personal knowledge of the health and safety records of the Federal contractors discussed in the GAO report. The list that follows was compiled by the GAO. It contains the names of selected Federal contractors with significant OSHA violations and their corporate headquarters.

The list follows:

PARENT COMPANY AND HEADQUARTERS  
 Aluminum Co. of America, Pittsburgh, PA.<sup>1</sup>  
 B.R. Group, Inc., Orange, MA.<sup>23</sup>  
 B.T.R. PLC (All-Steel, Inc.), Stamford, CT.<sup>1</sup>  
 Bethlehem Steel Corp., Bethlehem, PA.<sup>1</sup>  
 Biocraft Laboratories, Inc., Fair Lawn, NJ.<sup>1</sup>  
 Blaze Construction Co., Browning, MT.<sup>1</sup>  
 The Boeing Co., Seattle, WA.<sup>1</sup>  
 Boise Cascade Corp., Boise, ID.<sup>12</sup>  
 Chrysler Corp., Detroit, MI.<sup>2</sup>  
 Clean Harbors Environmental Services Inc., Quincy, MA.<sup>2</sup>  
 ConAgra, Inc., Omaha, NE.<sup>1</sup>  
 Cooper/T Smith Stevedoring, Inc., Houston, TX.<sup>13</sup>  
 Crowley Maritime Corp., Oakland, CA.<sup>1</sup>  
 Crown Central Petroleum Corp., Baltimore, MD.<sup>1</sup>  
 Dainippon Ink & Chemicals, Inc., (Sun Chemical), Cincinnati, OH.<sup>13</sup>  
 Dana Corp., Grand Haven, MI.<sup>1</sup>  
 Dell Computer Corp., Austin, TX.<sup>1</sup>  
 Federal Paper Board Co., Montvale, NJ.<sup>12</sup>  
 Ford Motor Co., Dearborn, MI.<sup>12</sup>  
 Fulcrum II Limited Partnership (Bath Iron Works Corp.), New York, NY.<sup>2</sup>  
 General Motors Co., Detroit, MI.<sup>12</sup>  
 Georgia-Pacific Corp., Atlanta, GA.<sup>1</sup>  
 Imperial Americas, Wilmington, DE.<sup>1</sup>  
 International Paper Co., Purchase, NY.<sup>12</sup>  
 Kohler Co. Mill Division, Kohler, WI.<sup>2</sup>  
 Kone Holding Inc. (Montgomery Elevator), Louisville, KY.<sup>1</sup>  
 Lockheed-Martin Corp., Calabasas, CA.<sup>12</sup>  
 National Beef Packing Co. LP, Liberal, KS.<sup>2</sup>  
 National Fruit Produce Co., Winchester, VA.<sup>2</sup>  
 National Health Labs Holdings, Loyola, CA.<sup>2</sup>  
 P.M. Holdings Corp. (Purina Mills, Inc.), St. Louis, MO.<sup>1</sup>  
 Pepsico, Inc. (Frito-Lay, Inc.), Purchase, NY.<sup>1</sup>  
 Rhone-Poulenc, Inc., France.<sup>12</sup>  
 Roadway Express, Inc., Akron, OH.<sup>1</sup>  
 Salvation Army, Alexandria, VA.<sup>1</sup>  
 Sears Roebuck & Co., Hoffman Estates, IL.<sup>1</sup>  
 Shell Oil Co., Houston, TX.<sup>12</sup>  
 Simplot J.R. Co. (S.S.I. Food Services, Inc.), Boise, ID.<sup>2</sup>  
 Stone Container Corp., Chicago, IL.<sup>1</sup>  
 Tenneco Packaging, Inc. (Packaging Corp. of America), Houston, TX.<sup>1</sup>  
 Trident Seafoods Corp., Seattle, WA.<sup>1</sup>  
 Trinova Corp. (Vickers, Inc.), Omaha, NE.<sup>13</sup>  
 Tyco International, Ltd. (Allied Tube & Conduit Co.), Exeter, NH.<sup>12</sup>  
 U.A.L. Corp. (United Airlines), Arlington Heights, IL.<sup>1</sup>  
 Union Camp Corp., Wayne, NJ.<sup>1</sup>  
 United Parcel Service Amer., Inc., Atlanta, GA.<sup>12</sup>  
 Whirlpool Corp., Benton Harbor, MI.<sup>1</sup>

<sup>1</sup> Assessed significant proposed penalties (\$15,000 or more) in more than one inspection closed in fiscal year 1994.

<sup>2</sup>Assessed proposed penalty of \$100,000 or more for safety and health violations.

<sup>3</sup>The GAO could not determine the parent company headquarters, but the location where the violation occurred is provided.

Source: General Accounting Office.●

# LOUIS ELIAS, GABRIEL W. KASSAB, AND WILLIAM H. MORGAN—THE MARCH OF DIMES 1996 FAMILY OF THE YEAR

● Mr. ABRAHAM. Mr. President, on September 25, 1996, the March of Dimes will honor Elias Brothers Restaurants executives Louis Elias, Gabriel W. Kassab, and William H. Morgan as the recipients of the 1996 Family of the Year Award. Established in 1993, this award is presented annually to a family whose outstanding commitment and support of the March of Dimes deserves recognition. And without question, these three members of the Elias Brothers family are duly deserving of this honor.

Louis Elias, founder and chairman of the board of Elias Brothers Restaurants, has a distinguished past as a community servant. After 4 years as a city councilman, Mr. Elias served as mayor of Hazel Park from 1953 to 1961. He has also received the highest honor of knight commander in the Order of St. Ignatius of Antioch and was also knighted into the most exclusive philanthropic organization in the world, the Knights of Malta, in December 1982.

Gabriel Kassab, president of Elias Brothers Restaurants, has for years dedicated his time and energies to helping others. He has served as a member of the executive board of the Detroit Council of the Boy Scouts of America, president of St. George Orthodox Church, president of the Michigan and National Restaurant Associations, and as a member of the advisory board of Southfield's Providence Hospital.

William Morgan, senior executive vice president of Elias Brothers Restaurants and Big Boy International, also has a distinguished list of public service efforts to his credit. He is past president of the Greater Rochester Chamber of Commerce and the Clinton Valley Council of the Boy Scouts of America, and past chairman of the Rochester Crittenton Hospital Development Council. Mr. Morgan today sits on the executive board of the Michigan State University Development Council.

All three of these men have remained dedicated over the years to the generous support of the efforts of the March of Dimes. The Elias Brothers family has committed itself to the cause of preventing birth defects, and with the extraordinary contributions of Louis Elias, Gabriel Kassab, and William Morgan, our country has moved that much closer to the realization of this noble and important goal. On this special occasion, I offer my congratulations to each of these civic leaders and to the March of Dimes. I also offer my thanks, on behalf of the entire State of Michigan, for the countless number of children's lives they have touched.●

## THE DRIVE-THROUGH DELIVERIES AMENDMENT

● Mr. DORGAN. Mr. President, I want to take a moment to say how pleased I am that the Senate yesterday passed an amendment offered by my colleague, Senator BRADLEY, that will ensure that mothers and their newborn babies get appropriate care before being discharged from the hospital.

Senator BRADLEY's amendment would curb the alarming trend toward rushing new mothers and babies out of the hospital nearly immediately. Many health insurers are requiring new mothers and their newborn babies to be discharged from the hospital as early as 8 to 24 hours after delivery. This problem is particularly pressing and growing in the western United States, where 74 percent of the women who gave birth without complications were sent home within 24 hours of delivery, a sharp increase from the 54-percent figure in 1991. This trend toward shorter hospital stays is putting the health of babies and their mothers at risk.

Under Senator BRADLEY's amendment, insurance companies would be required to pay for a minimum 48-hour stay for mother and child for a vaginal delivery and a minimum 96-hour stay for a caesarean section. This is the amount of time that has long been recommended by medical profession guidelines, and this amendment is supported by the American College of Obstetricians and Gynecologists.

I received a letter last year from a North Dakota grandmother whose infant grandson became seriously ill shortly after being quickly discharged from the hospital. Within hours of being sent home, these young parents had to rush their child back to the hospital with a 102-degree temperature. Fortunately, that little boy is now OK, but as you can imagine, this was a very frightening, and potentially life-threatening, experience.

I thought the questions this grandmother asked really got to the heart of this issue, and I want to read a bit of her letter. She wrote, "How much longer is the almighty dollar going to be the deciding factor in our children's lives? Since when do insurance company executives and accountants know more about life and death matters than medical people?"

Our country can no longer afford to let money, rather than the health needs of mothers and babies, be our paramount concern. Physicians and parents, not insurance bureaucrats, should be the ones deciding when mother and child are ready to go home.

We do need to control health care costs, but we cannot lose sight of the fact that providing high quality health care should be our top priority. And since one recent study has found that infants discharged less than 48 hours after delivery face a 70-percent higher chance that they will require an emergency room visit, which is one of the most expensive settings for care, I believe this amendment will actually

help reduce health care costs in the long run.

Again, I want to thank Senator BRADLEY for his leadership in bringing this issue to a vote, and I am glad to lend my support as a cosponsor to his effort.●

## DR. RAYMOND M. CONTESTI—THE MARCH OF DIMES' 1996 ALEXANDER MACOMB CITIZEN OF THE YEAR

● Mr. ABRAHAM. Mr. President, on September 25, 1996 the March of Dimes will honor Clintondale Community School District Superintendent Dr. Raymond M. Contesti as its 1996 Alexander Macomb Citizen of the Year. Established in 1984, this award is presented annually to "deserving individuals who have demonstrated outstanding contributions and commitment to improving the quality of life in his/her community, the county, and the State of Michigan."

It would be difficult, if not impossible, to find a community servant more deserving of this recognition. In addition to his duties as superintendent, Dr. Contesti is currently president of the board of trustees of the Mount Clemens General Hospital, a member of the board of directors of M.C.G. Telesis, and a member of the Macomb/St. Clair Private Industry Council. In previous years he has held a number of civic posts within Clinton Township, including service on the board of trustees, zoning board of appeals, parks and recreation committee, Junior Chamber of Commerce, planning commission, civic center committee, and much more.

Dr. Contesti's dedication to public service has been recognized by numerous local institutions. In 1994, the Clinton Valley Boy Scouts named him their distinguished citizen of the year. In 1995, the M.C.G. Foundation named Dr. Contesti their citizen of the year.

Continuing in this trend, in 1996 Dr. Contesti will again be commended as citizen of the year, by an equally worthwhile institution, the March of Dimes. For his selfless commitment to his fellow citizens Raymond Contesti is more than deserving of the accolades that come his way. I salute him for his public service, and applaud the March of Dimes for choosing such a deserving figure on whom to bestow this honor.●

## IN HONOR OF KITE SOCIETY OF WISCONSIN WEEK

● Mr. KOHL. Mr. President, it gives me great pleasure to announce that this year the 18th annual Frank Mott Memorial Kite Festival will be held on September 14 in Milwaukee, WI. Kite flying is one of the most beautiful and relaxing hobbies around. Many of us can still remember when we were children, building our first kite and watching with excitement as it became airborne. Today children of all ages can experience this thrill again during Kite